

### **REMARKS**

In view of the following remarks, Applicant respectfully requests reconsideration and allowance of the subject application. Claims 1, 2, 4-7, 9-10, 13-18, 20, 29-30, and 36 are currently amended. Claims 3 and 8 are canceled  
5 without prejudice. Claims 1-2, 4-7, and 9-40 are pending.

#### **Statement of Substance of Interview Dated August 23, 2006**

Applicant wishes to thank Examiner Amee Shah and Primary Examiner Y.  
C. Gars for conducting a telephonic interview with Applicant's attorney, Michael  
10 Colby, on August 23<sup>rd</sup>, 2006.

During the interview, Applicant's attorney and Examiners Shah and Gars discussed Figure 4 and the non-final rejections of the independent claims based on the Tremain and/or Banka references. Applicant proposed, generally and in principle, amendments to the independent claims related to the subject matter of  
15 Figure 4 that the Examiners, also in principle, considered sufficient to overcome the outstanding rejections. The Examiners noted that they would need to see the amendments in writing and would likely need to perform another search. In the interest of expediting allowance of the application, and without conceding the propriety of the rejections, Applicant amends the independent claims as discussed  
20 during the interview.

#### **Objection to the Drawings**

The drawings stand objected to for failing to comply with 37 CFR 1.84(p)(5) for including reference characters not in the description and not

including references signs mentioned in the description. Regarding the Office's objection to reference characters 304B, 304C, and 304D not being mentioned in the description, Applicant notes that these are mentioned, e.g., on pages 22-24 of the originally filed specification. Regarding the Office's other objections,

5 Applicant replaces Figure 1 with an attached replacement sheet and amends the specification. The amendments do not add new matter; they merely conform the drawing to the specification as filed or the specification to the drawings as filed.

#### **Specification**

10 The Office notes that certain trademarks should be capitalized and accompanied by generic terminology. Applicant amends the specification to address the Office's concern.

#### **Claim Objections**

15 Claim 6 stands objected to for a grammatical error. Applicant amends claim 6 to correct this informality.

#### **Rejections under 35 U.S.C. §112, second paragraph**

Claims 13 and 30 stand rejected under 35 U.S.C. §112, second paragraph,

20 as being indefinite for use of the terms "normally" and "appropriate", respectively. Applicant amends claims 13 and 30 to address the Office's rejections.

**Rejections under 35 U.S.C. §102**

Claims 1-4, 6, 8-15, and 17 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Pat. App. Pub. No. 2002/0069369 A1 to Tremain ("Tremain").

Claims 18-20, 29, and 36 stand rejected under 35 U.S.C. §102(c) as being  
5 anticipated by U.S. Pat. No. 7,003,481 B2 to Banka et al. ("Banka").

**Rejections under 35 U.S.C. §103**

Claims 5 and 7 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Tremain.

10 Claim 16 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Tremain in view of U.S. Pat. App. Pub. No. 2003/0220983 to Hui ("Hui").

Claims 21 and 22 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Banka in view of Tremain.

Claims 23-26 stand rejected under 35 U.S.C. §103(a) as being unpatentable  
15 over Banka in view of Tremain and further in view of Hui.

Claims 27 and 28 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Banka in view of Tremain and further in view of U.S. Pat. App. Pub. No. 2004/0220980 A1 to Forster ("Forster").

Claims 30-35 and 37-40 stand rejected under 35 U.S.C. §103(a) as being  
20 unpatentable over Banka in view of U.S. Pat. App. Pub. No. 2003/0115442 to Whitney ("Whitney").

**Response to Rejections under 35 U.S.C. §102 and §103**

In the interest of expediting allowance of the application, and without conceding the propriety of the rejections, Applicant amends the independent claims as discussed during the interview. The Office, through Examiners Shah and Gars, agreed in principle that the claims as amended are sufficient to overcome the outstanding rejections. The Examiners also noted that they would likely need to perform another search.

Applicant requests that the Office contact Applicant's undersigned attorney if the amendments herein do not gain allowance of the claims.

**Conclusion**

All pending claims are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the present application. Should any issue remain that prevents immediate issuance of the application, the Examiner is encouraged to contact the undersigned attorney to discuss the unresolved issue.

Respectfully Submitted,

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By: Michael K. Colby

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